

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

THOMAS THOMAS

(Enter above the full name of the plaintiff in this action)

COMPLAINT

v.

Civil Action No. _____

Lt. Estrella
Sgt. Costera
Sgt. Di Amico
Sgt - Brailotta

(To be supplied by the Clerk of the Court)

(Enter the full name of the defendant or defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

- 42 U.S.C. §1983 (applies to state prisoners)
- Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee
- Civilly-committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

b. Court and docket number: _____

c. Grounds for dismissal: () frivolous () malicious

() failure to state a claim upon which relief may
be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? _____

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: THADDEUS THOMAS

Address: EAST JERSEY STATE PRISON - AD-SEG-UNIT-S.I.T.U.
8 PRODUCTION WAY - CR-905 AVENUE, NJ 07001
Inmate#: F000174

b. First defendant:

Name: Lt. Estreada

Official position: 1ST SHIFT LT. (D.O.C.)

Place of employment: E.J.S.P. - AD-SEG-UNIT-S.I.T.U.

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

AUTHORIZING HIS SGT'S TO HARRASSED AND
INTimidate my attorney for PLEASURES
OF RETALIATION, BY BREAKING INTO HIS
LEGAL CASE AND THREATENING TO ILLEGALLY
SEARCH HIS VEHICLES.

c. Second defendant:

Name: Sgt. Costera

Official position: 1ST SHIFT SGT.

Place of employment: E.J.S.P. - AD-SEG-UNIT-S.I.T.U.

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

AUTHORIZING HIS SUBORDINATES TO STOP
SEARCH ME AND PLACE ME ON T.C.C. STATUS
FOR ASSOCIATING WITH MY ATT-SEG
LEGAL A.D. THE RETALIATION OF HIS HELPING
ME WITH A WRONGFUL DEATH CASE.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

E, THIRD DEFENDANT

NAME: SGT. DIAZ

OFFICIAL POSITION - 1ST SHIFT SGT.

PLACE OF EMPLOYMENT: G.T.S.P. AD-SEGMENT - SITE

How is this person involved in
this case?

(i.e., what are you alleging that this
person did or did not do that
VIOLATED your Constitutional Rights?)

for violating my due
process rights, by placing me in
isolation for no cause. And telling
me that I'm in isolation for
associating with a outside legal
aid. Causing my legal aid to
cancel, helping me with legal
work, in reference to a wrongful
death case, "Constitution by Correctional
OFFICERS"

F) Fourth Defendant:

NAME: S/C - Gallotta

OFFICIAL POSITION: CORRECTION OFFICER
PLACE OF EMPLOYMENT: EASTSHORE-SEGMENT-SJU.

HOW IS THIS PERSON INVOLVED IN
THIS CASE?

(I.E., WHAT ARE YOU ALLEGING THAT
THIS PERSON DID OR DID NOT DO,
THAT VIOLATED YOUR CONSTITUTIONAL
RIGHTS?)

FORCING ME TO STRIP SEARCH
NAKED IN A POLLUTED ROOM (STORAGE
ROOM) AND THEN WITH A SHOTLE, TOLD
ME TO SQUAT DOWN A COUGH, AND
THEIR O'SLOWLY'S GETTING ME MY
CLOTHES BACK. BY DROPPING THEM ON
THE DIRTY FLOOR. MUTILATING ME, IN
THE WORST WAY. AND GLANCED MAKING
HOMOSEXUAL REMARKS, DEGRADING MY
BENDER AND LIFESTYLE.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

Yes No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

*I was / am dis-regarded, And persecuted
IN ISLAMIC.*

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

SEE MY ATTACHED

